

Sec. 10-919. Lake protection.

(a) *Purpose and intent.* The purpose and intent of the lake protection district is for activities in the area immediately adjacent to and affecting Lake Jackson while protecting that water body and ecosystem. This district's location is based on the lake basin boundary so adjusted to primarily include undeveloped areas and existing less intensely developed areas. This district allows residential uses of one unit per two acres or two units per acre if clustered on 40 percent of the property, leaving the remaining 60 percent of the property as undisturbed open space in perpetuity. This cluster option is designed to leave large areas of land undisturbed within the critically impacted area. Minor office and commercial uses may be approved through review by the Board of County Commissioners. Approval by the Board of County Commissioners shall be based upon findings that the proposed use is consistent with the purpose and intent stated above and the proposed development would retain its resultant stormwater on site. All other commercial and office uses are prohibited. Urban services are intended for this category inside the urban service area. Existing nonresidential uses within this district that meet all water quality standards set forth in the comprehensive plan and the environmental regulations of the county will be considered permitted, lawfully established conforming uses.

Any land in the lake protection district lying within a closed basin may be rezoned to another appropriate district by amendment of the official zoning map through the planned unit development process. Densities and intensities of development within a closed basin are limited to primary and secondary uses of the Mixed Use A Future Land Use Category as defined by the comprehensive plan. In order to petition for such an amendment, the potential applicant must demonstrate through presentation of competent scientific evidence certified by a registered engineer that all land affected is located entirely within a closed basin which does not naturally or artificially discharge into the Lake Jackson basin. Stormwater generated by any development must be either retained on-site or filtered through an approved regional stormwater management facility within the closed basin.

(b) *Allowable uses.* For the purpose of this article, the following land use types are allowable in this zoning district and are controlled by the land use development standards of this article, the comprehensive plan and schedules of permitted uses.

- (1) Minor commercial, Board of County Commissioners approval required and runoff retained on site required.
- (2) Minor office, Board of County Commissioners approval required and runoff retained on site required.
- (3) Low-density residential.
- (4) Passive recreation.

(5) Active recreation.

(5) Community services.

(c) *List of permitted uses.* See schedules of permitted uses, section 10-1209(a). Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed.

(d) *Development standards.* All proposed development shall meet the commercial site location standards (section 10-922); buffer zone standards (section 10-923); the parking and loading requirements (division 7); and the land use development criteria as specified in section 10-1209.

(e) *Specific restrictions.* If uses are restricted according to the schedule of permitted uses, they must follow the general development guidelines for restricted uses as provided in division 6. Specific restricted uses are addressed below and in division 8.

(1) Nonresidential uses allowed only upon approval of a site and development plan by the Board of County Commissioners.

Sec. 10-1209. Lake protection district:

(a) Allowable uses, appropriate permit level and applicable development and locational standards in the lake protection district are as follows:

P = Permitted use R = Restricted use S = Special exception

| Legend | |
|-----------------------|------------------------------|
| Ag = Agricultural | LR = Low-density residential |
| MO = Minor office | AR = Active recreation |
| MC = Minor commercial | CS = Community services |

| SIC Code | Name of Use | Development and Locational Standards | | | | | |
|----------|--|--------------------------------------|-----|-----|----|----|----|
| | | Ag | MO* | MC* | LR | AR | CS |
| | RESIDENTIAL | | | | | | |
| | Dwelling, one-family | | | | P | | |
| | Dwelling, two-family | | | | P | | |
| | Dwelling, townhouse | | | | R | | |
| | Dwelling, mobile home | | | | P | | |
| | Mobile home park | | | | S | | |
| | | | | | | | |
| | AGRICULTURE, FORESTRY, AND FISHING | | | | | | |
| 01 | Agricultural production--Crops | R | | | | | |
| 02 | Agricultural production--Livestock | R | | | | | |
| 092 | Fish hatcheries and preserves | S | | | | | |
| | | | | | | | |
| | TRANSPORTATION AND PUBLIC UTILITIES | | | | | | |
| 43 | Postal service | | | | | | S |
| | | | | | | | |
| | RETAIL TRADE | | | | | | |
| 581 | Eating and drinking places | | | S | | | |
| 591 | Drugstores and proprietary stores | | | S | | | |
| 592 | Liquor stores | | | S | | | |
| 5992 | Florists | | | S | | | |
| 5993 | Tobacco stores and stands | | | S | | | |

| SIC Code | Name of Use | Development and Locational Standards | | | | | |
|----------|---|--------------------------------------|-----|-----|----|----|----|
| | | Ag | MO* | MC* | LR | AR | CS |
| 5994 | News dealers and newsstands | | | S | | | |
| | | | | | | | |
| | FINANCE, INSURANCE, AND REAL ESTATE | | | | | | |
| 602 | Commercial banks | | S | | | | |
| 603 | Savings institutions | | S | | | | |
| 606 | Credit unions | | S | | | | |
| 611 | Federal and federal sponsored credit | | S | | | | |
| 614 | Personal credit institutions | | S | | | | |
| 616 | Mortgage bankers and brokers | | S | | | | |
| 62 | Security and commodity brokers | | S | | | | |
| 64 | Insurance agents, brokers, and service | | S | | | | |
| 65 | Real estate | | S | | | | |
| 654 | Title abstract offices | | S | | | | |
| | | | | | | | |
| | SERVICES | | | | | | |
| 703 | Camps and recreational vehicle parks | | | | | R | |
| 721 | Laundry, cleaning, and garment services | | | S | | | |
| 7215 | Coin-operated laundries and cleaning | | | S | | | |
| 723 | Beauty shops | | S | | | | |
| 724 | Barber shops | | S | | | | |
| 725 | Shoe repair and shoeshine parlors | | S | | | | |
| 7311 | Advertising agencies | | S | | | | |
| 732 | Credit reporting and collection | | S | | | | |
| 7361 | Employment agencies | | S | | | | |
| 737 | Computer and data processing services | | S | | | | |

| SIC Code | Name of Use | Development and Locational Standards | | | | | |
|----------|--|--------------------------------------|-----|-----|----|----|----|
| | | Ag | MO* | MC* | LR | AR | CS |
| 784 | Video tape rental | | | S | | | |
| 7997 | Membership sports and recreation clubs | | S | | | S | |
| 801 | Offices and clinics of medical doctors | | S | | | | |
| 802 | Offices and clinics of dentists | | S | | | | |
| 804 | Offices of other health practitioners | | S | | | | |
| 807 | Medical and dental laboratories | | S | | | | |
| 808 | Home health care services | | S | | | | |
| 81 | Legal services | | S | | | | |
| 821 | Elementary and secondary schools | | | | | | S |
| 823 | Libraries--Less than 7500 sq. ft. | | S | S | | | |
| 823 | Libraries--7500 sq. ft. or more | | | | | | S |
| 835 | Day care services | | S | | | | |
| 836 | Residential care | | S | | | | |
| 841 | Museums and art galleries | | | | | S | |
| 842 | Botanical and zoological gardens | | | | | S | |
| 864 | Civic and social associations | | | | | | S |
| 866 | Religious organizations | | | | | | S |
| 871 | Engineering and architectural services | | S | | | | |
| 872 | Accounting, auditing, and bookkeeping | | S | | | | |
| 873 | Research and testing services | | S | | | | |
| 874 | Management and public relations | | S | | | | |
| | | | | | | | |
| | PUBLIC ADMINISTRATION | | | | | | |
| 91 | Executive, legislative and general | | | | | | S |
| 922 | Public order and safety | | | | | | S |

| SIC Code | Name of Use | Development and Locational Standards | | | | | |
|----------|---------------------------------|--------------------------------------|-----|-----|----|----|----|
| | | Ag | MO* | MC* | LR | AR | CS |
| 9221 | Police protection | | | | | | S |
| 9224 | Fire protection | | | | | | S |
| | | | | | | | |
| | RECREATION | | | | | | |
| | Hiking and nature trails | | | | | P | |
| | Picnicking | | | | | P | |
| | Canoe trails | | | | | P | |
| | Bicycle trails | | | | | P | |
| | Horseback riding trails | | | | | P | |
| | Tot lots | | | | | P | |
| | Court sports | | | | | R | |
| | Field sports | | | | | R | |
| | Boat landings | | | | | P | |
| | Archaeological historical sites | | | | | S | |

* Minimum criteria for approval shall require a finding that the proposed uses would be consistent with the district intent; would not be likely to create significant detrimental environmental impacts; nor be likely to interfere with any lawfully established uses.

(b) The maximum allowable floor area in the lake protection district is as follows:

| COMMERCIAL LAND USE TYPE | LAKE PROTECTION |
|--------------------------|-----------------|
| MINOR | |
| Total location | 40,000 |
| Single site or quadrant | 20,000 |
| Single structure | 20,000 |

(c) The minimum development standards in the lake protection district are as follows:

| | | Low-Density Residential | | Commercial Office | | Community Services; Active Recreation; Public, Primary and Secondary Schools |
|---|-------|-------------------------|----------|-------------------|----------|--|
| | | Noncluster | Cluster* | Noncluster | Cluster* | |
| MINIMUM SETBACKS (FEET) | | | | | | |
| Front yard | | | | | | |
| Building | 25 | 25* | 30 | 25* | 30 | |
| Parking | -- | -- | 40 | 40* | 40 | |
| Corner yard | | | | | | |
| Building | 25 | 25* | 30 | 25* | 30 | |
| Parking | -- | -- | 40 | 40* | 40 | |
| Side yard | | | | | | |
| Building | 15 | 15* | 40 | 20* | 40 | |
| Parking | -- | -- | 40 | 20* | 40 | |
| Rear yard | | | | | | |
| Building | 25 | 25* | 50 | 30* | 50 | |
| Parking | -- | -- | 40 | 10* | 40 | |
| Adjoining lower intensity zoning district | | | | | | |
| Building | -- | -- | 50 | 50* | -- | |
| Parking | -- | -- | 50 | 50* | -- | |
| Maximum % impervious surface area | 30 | 25** | 40 | 25** | 40 | |
| Maximum height at building envelope perimeter | -- | 35 | 35 | 35 | 35 | |
| Maximum additional height/additional zoning setback | 1'/1' | -- | 1'/1' | 1'/1' | 1'/1' | |
| Maximum total height | 35 | 35 | 45 | 45 | 45*** | |
| Minimum lot frontage | 15 | 15 | 40 | 40 | -- | |
| Minimum lot area | 2.0 | 1.0 | 2.0 | 1.0 | -- | |

* This number applies to the perimeter setback only.

** Maximum percent impervious area of developable portion of site.

*** This height applies to habitable portion of a structure.